

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CRIMINAL APPLICATION No 272 of 1999

For Approval and Signature:

Hon'ble MR.JUSTICE Y.B.BHATT

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

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MANISH MAHESH VYAS

Versus

STATE OF GUJARAT

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Appearance:

MR BS SUPEHIA for Petitioner

MR MA BUKHARI APP for Respondent No. 1

RULE SERVED for Respondent No. 2

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CORAM : MR.JUSTICE Y.B.BHATT

Date of decision: 29/04/99

ORAL JUDGEMENT

1. This is a petition filed by the externee, challenging the externment order passed by the competent authority. It is conceded that the order passed by the externing authority has not been taken in appeal by the petitioner, which is a statutory right. This Court normally does not interfere in petitions directly challenging the order of externing authority, unless an

appeal is preferred and decided. Learned counsel for the petitioner therefore submits that he may file an appeal, and appropriate directions be issued by this Court for expeditious hearing of the same. For this purpose, learned counsel for the petitioner seeks permission to withdraw the present petition.

2. The petition is permitted to be withdrawn and rule is discharged with no order as to costs with the observations and directions that the petitioner may file a statutory appeal, and the appellate authority shall decide the said appeal within 60 days of the filing of the same, and shall not raise any objection as to the period of limitation. This petition is accordingly disposed off as withdrawn.

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